

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DENNIS FRANK HAYNES,  
STEPHEN ERIC JAFFE and  
DELLENA WYMAN PRIESTER

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Appeal No. 2006-0773  
Application 09/845,362

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ON BRIEF

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Before OWENS, GROSS and NAPPI, *Administrative Patent Judges*.

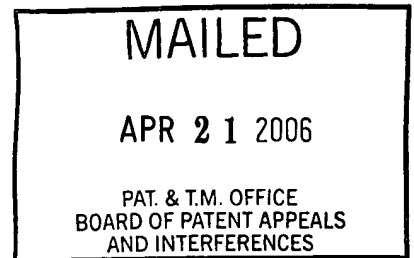
OWENS, *Administrative Patent Judge*.

*DECISION ON APPEAL*

This appeal is from a rejection of claims 1-4 and 13-28.  
Claims 5-12 have been canceled.

*THE INVENTION*

The appellants claim a system and method for managing an  
electronic commerce shopping cart.



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Claim 1 is illustrative:

A method for managing an electronic commerce(e-commerce) shopping cart relating to communication between a shopper and a server over a communication network, said method comprising the steps of:

determining by the server whether a shopping command of the shopper has changed an attribute of a primary item in the shopping cart;

after the server has determined that the shopping command has changed the attribute of the primary item in the shopping cart, identifying by the server a secondary item in the shopping cart linked to the primary item; and

changing by the server a corresponding attribute of the secondary item in response to the change in the attribute of the primary item.

#### *THE REFERENCES*

Henson	6,167,383	Dec. 26, 2000
Chandramohan et al.	6,711,619	Mar. 23, 2004
(Chandramohan)		(filed Dec. 15, 1999)

#### *THE REJECTIONS*

The claims stand rejected as follows: claims 1-4, 14-22 and 24-28 under 35 U.S.C. § 102(e) as anticipated by Henson, and claims 13 and 23 under 35 U.S.C. § 103 as obvious over Henson in view of Chandramohan.

*OPINION*

We reverse the aforementioned rejections. We need to address only the independent claims, i.e., claims 1 and 19.

Claims 1 and 19 require that a server identifies a secondary item in a shopping cart linked to a primary item in the shopping cart, and changes a corresponding attribute of the secondary item in response to a change in an attribute of the primary item.

Henson discloses an online store user interface for enabling custom configuration, pricing and ordering of a computer system via the Internet (col. 1, lines 18-21). A user can edit or delete contents of a shopping cart, and merchandising recommendations such as upgrade or cross-sell recommendations can be provided to the user based upon the contents of the shopping cart (col. 9, lines 49-60; col. 10, lines 7-16).

The examiner argues (answer, pages 8-9):

In Henson, commerce application 14 comprising the configurator and cart teaches the step of determining by the server whether a shopping command of the shopper has changed an attribute of a primary item in the shopping cart, after the server has determined that the shopping command has changed an attribute of the primary item in the shopping cart, identifying by the server a secondary item in the shopping cart linked to the primary item, and changing by the server a corresponding attribute of the secondary item in response to the change in the attribute of the primary item (see col. 15, lines 31-45 and col. 3, lines 12-29 which teach that the configurator, which is part of the commerce application 14, everything including

the computer system [primary item], its add-on options which correspond to the claimed secondary items is specific to a given computer system [primary item] and therefore when a user wants to change the computer system the configurator would change both the primary item and the add-on options to the changed computer system[]].

The portions of Henson relied upon by the examiner disclose that 1) a configurator provides merchandising recommendations for add-on options, 2) everything in the configurator is specific to a given computer chassis and universe of options within that chassis, and 3) if a user wants to switch to a different chassis the user must exit the configurator, go back to the welcome page, and select a new chassis and its universe of options.

The new universe of options presented to Henson's user when the user switches to a different chassis are not in the user's shopping cart. Henson does not disclose that when the user switches to the different chassis, a server changes an attribute of a secondary item in the shopping cart as required by the appellants' claims.

The examiner does not rely upon Chandramohan for any disclosure that remedies the above-discussed deficiency in Henson, and does not explain how the applied references would have fairly suggested the above-discussed claim requirement to one of ordinary skill in the art.

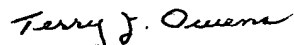
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The examiner, therefore, has not carried the burden of establishing a *prima facie* case of anticipation or obviousness of the appellants' claimed invention.

*DECISION*

The rejections of claims 1-4, 14-22 and 24-28 under 35 U.S.C. § 102(e) over Henson, and claims 13 and 23 under 35 U.S.C. § 103 over Henson in view of Chandramohan, are reversed.

*REVERSED*



TERRY J. OWENS )  
Administrative Patent Judge )



ANITA PELLMAN GROSS )  
Administrative Patent Judge )

BOARD OF PATENT  
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INTERFERENCES



ROBERT E. NAPPI )  
Administrative Patent Judge )

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